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e type a plus sign (+) inside this box PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/781,228 AVER IBAD **Application Number** TRANSMITTAL **FORM** Filing Date 2/18/2004 (to be used for all correspondence after initial filing) **First Named Inventor Backes** Group Art Unit Examiner Name Not yet known Total Number of Pages in This Submission Attorney Docket Number 160-011 ENCLOSURES (check all that apply) **Assignment Papers** After Allowance Communication Fee Transmittal Form (for an Application) to Group Appeal Communication to Board of Fee Attached Drawing(s) and letter Appeals and Interferences Appeal Communication to Group Amendment Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Petition After Final **Proprietary Information** Petition to Convert to a Affidavits/declaration(s) Status Letter Provisional Application Other Enclosure(s) (please Extension of Time Request Change of Correspondence identify below): Express Abandonment Request Terminal Disclaimer Information Disclosure Statement Request for Refund Certified Copy of Priority CD, Number of CD(s) Document(s) Response to Missing Parts/ Remarks Please charge any deficiency or credit any overpayment to Deposit Incomplete Application Account No. 502569. Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Mary Steubing, Reg. No. 37946 Firm Steubing McGuinness & Manaras LLP Individual name Signature Date CERTIFICATE OF MAILING OR FACSIMILE I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 33212 or being facsimile transmitted to the United States Patent and Trademark Office at number (703) 872-9306 on the date below: Type or printed name Christine M. Morrissette Signature Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RADE Applicant(s): Backes

Serial No.: 10/781,228

Filed: 2/18/2004

Title: Transmission Channel Selection Apparatus

Attorney Docket No.: 160-011

Group Art Unit:

Examiner:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted before mailing date of first office action on the merits.

Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313.

Date of Deposit: 4-26-05

Typed Name: Christine M. Morrissette
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Respectfully submitted,

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Steubing McGuinness & Manaras LLP

Telephone No.: 978-264-6664

Date: 4/26/05

PTO/SB/08A (10-01)
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Substitute for form 1449A/PTO Complete if Known **Application Number** 10/781,228 INFORMATION DISCLOSURE Filing Date 2/18/2004 STATEMENT BY APPLICANT First Named Inventor Backes (use as many sheets as necessary) Art Unit Examiner Name Not yet known 1 Sheet 1 of Attorney Docket Number 160-011

U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear				
		US-5,963,848	10/05/1999	D'Avello					
		US-5,606,727	02/25/1997	Ueda					
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FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆			
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Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

The for Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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